

PROCEEDING MEMO

Date: 09/09/2020 10:00 am

In re: Kevin David Tolejko

**Bankruptcy No. 19-24789-CMB
Chapter: 13
Doc. # 47**

**Appearances: BY PHONE: Winnecour/
James C. Warmbrodt; Joseph P. Nigro**

Nature of Proceeding: #47 Motion For Relief From The Automatic Stay and Co-Debtor Stay

Additional Pleadings: #51 Response by Debtor

Judge's Notes:

Warmbrodt:

- delinquency from January 2020-August 2020
- no equity in the property
- forebearance doesn't apply to months before August

Trustee:

- requesting dismissal without prejudice on account of roughly \$25,000 in delinquency

Nigro:

- the debtor makes enough in terms of wages to fund this plan, we are in the process of filing an amended plan by 9/15/20 to address the \$25,000 delinquency
- we request extension to 9/15 to file an amended plan, and retain scheduled 9/21 creditors' meeting and also make it a conciliation conference to address the amended plan
- requesting motion for relief be denied or extended beyond date of amended plan

Court:

- motion for relief continued to 10/28/20 at 10:00, court will consider granting relief at that time unless payment has been made
- court expects payments to be made now and in october

Carlota Böhm
Chief U.S. Bankruptcy Judge

FILED
9/9/20 4:00 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPa